



**US Army Corps  
of Engineers®**

SAN FRANCISCO DISTRICT

US Army Corps  
of Engineers

Regulatory Branch  
333 Market Street  
San Francisco, CA 94105-2197

# PUBLIC NOTICE

NUMBER: LOP 2004-1

File Number 284270N

DATE: September 17, 2004

## LETTER OF PERMISSION PROCEDURE GRAVEL MINING ACTIVITIES WITHIN HUMBOLDT COUNTY

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**INTRODUCTION:** The U. S. Army Corps of Engineers (Corps) is issuing a Letter of Permission procedure (LOP 2004-1) for the authorization of gravel mining activities in streams and rivers of Humboldt County, pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403). The LOP 2004-1 procedure expires on December 31, 2008.

The purpose of the LOP 2004-1 procedure is to streamline authorizations for excavation and related work associated with gravel mining. The LOP would only be used for extraction proposals that do not pose significant adverse individual or cumulative impacts to the environment. The LOP procedure also provides a consistent review of projects' descriptions, drawings, and analyses, which facilitates a better evaluation of cumulative effects.

**PROJECT SUMMARY:** As further described within the attached procedure, gravel may be extracted by excavation of "horseshoe pits," alcoves, trenches and "wetland pits," or by skimming the surface of the gravel bar. This proposal is for the extraction seasons during the years 2004-2008.

**BACKGROUND:** A procedure, LOP 96-1, was first authorized in August of 1996 and extraction operations were authorized in that month. The procedure would have expired on August 19, 2001, but was extended three times for one year each. The

current version, LOP 2004-1, is the product of extensive coordination during the past three years with the resource agencies and the regulated industry.

**ENDANGERED SPECIES:** Gravel extraction in Humboldt County could possibly adversely affect western snowy plovers as well as coho, Chinook, and steelhead, all Federally-listed threatened species. The Corps requested the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) provide Biological Opinions and Incidental Take Statements for this LOP. A copy of the Incidental Take Statement (including Reasonable and Prudent Measures) from the NMFS is attached as Appendix M. The USFWS agrees that all plover chicks have fledged from the active gravel bars and gravel extraction may proceed during the 2004 extraction season without special conditions. The Biological Opinion will be completed by May 2005, at which time the LOP will be republished with the USFWS Incidental Take Statement in Appendix E.

**FOR MORE INFORMATION:** Additional details may be obtained by contacting Mr. Kelley Reid, of the Eureka Field Office, by telephone 707-443-0855, or mail to: U. S. Army Corps of Engineers, P.O. Box 4863, Eureka, California 95502 or e-mail: [Kelley.Reid@spd02.usace.army.mil](mailto:Kelley.Reid@spd02.usace.army.mil).